



## German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderurkunden, oder § 365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslands- anmeldungen für Patente bzw. Erfinderurkunden oder PCT internationale Anmeldungen angegeben, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

Prior Foreign Application(s)  
(Frühere ausländische Anmeldungen)

Priority Not Claimed  
Priorität nicht beansprucht

(Number) (Nummer)	(Country) (Land)	(Day/Month/Year Filed) (Tag/Monat/Jahr der Anmeldung)
(Number) (Nummer)	(Country) (Land)	(Day/Month/Year Filed) (Tag/Monat/Jahr der Anmeldung)

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)
(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Bektag sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)	(Status) (patented, pending, abandoned) (Status) (patentiert, schwebend, aufgegeben)
(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)	(Status) (patented, pending, abandoned) (Status) (patentiert, schwebend, aufgegeben)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentes gefährden können.

I hereby claim foreign priority under Title 35, United States Code Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

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**VERTRETUNGSVOLMACHT:** Als benannter Erfinder beauftrage ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt: *(Name(n) und Registrationsnummer(n) auflisten)*

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: *(list name and registration number)*.

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Unterschrift des Erfinders 	Datum 11.04.06
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## GERMAN PATENT AND TRADEMARK OFFICE

German Patent and Trademark Office – 80297 München

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München, May 25, 2004  
Telephone: (089)2195-4345  
File Number: 102 21 688.6-43  
Applicant No: 2742497  
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Your File: 02.007

Please include file number and applicant with  
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appropriate items marked with [x] or  
filled out!

**Request for examination filed, payment date: May 28, 2002**

**Submitted:** **received:**

Further examination of the above-mentioned patent application has led to the following result. **A period of**

**four month(s)**

is provided for a response, which starts with the date of delivery.

Respectively **two copies** of all documents, which may be added to the response (e.g. patent claims, description, text passages from the description, drawings) must be submitted on separate pages. Only one copy of the response itself is required.

If the patent claims, the description of the drawings are changed during the course of the examination procedure, the applicant must list individually the location in the original documents where the inventive features, described in the new documents, can be found, provided the changes are not suggested by the German Patent and Trademark Office itself.

The following cited references are mentioned for the first time in this Office Action (the same numbering applies to the continued procedure):

### Reference to the Option of Filing a Divisional Design Patent

The applicant of a patent application filed effective after January 1, 1987 in the Federal Republic of Germany, can file a design patent (utility model), relating to the same subject matter, and can simultaneously claim the date of the application of the earlier patent application. This divisional (§ 6 of the Utility Model Act) is possible until the end of 2 months following the end of the month in which the patent has been withdrawn due to a legal rejection, voluntarily or a fictional withdrawal, an objection procedure has been concluded or – in case of a patent granting – the period of objection to the granting of the patent has expired without result. Detailed information on the requirements for filing a utility model application, including the divisional, is contained in the Information Sheet for Utility Model Applicants (G 6181), which can be obtained free of cost from the German Patent and Trademark office and the patent information centers.

- 1) **DE 696 12 180 T2**
- 2) **EP 0 775 728 A1**
- 3) **WO 03/025057 A2**
- 4) **US 2001/0025082**
- 5) **US 6 013 709 A**

1. The examination of the application was taken over by a different examination office.
2. Formal deficiencies: The present claim wording is not uniform because the materials, as well as their production and use, but not the products manufactured from these materials must be assessed as being uniform according to the Patent Act (Schulte, Patent Act, Edition 6, 2001, §34, Table MN 217). The applicant is therefore urged to provide a uniform set of claims by relinquishing or separating out the present claims 17 and 18 (compare the attached P2410). The present claim 1 is not allowable since it claims properties of a polymer composition, for which the material composition is unclear, thus resulting in an undefined scope of protection.  
  
The paragraph on page 4 of the present specification, lines 29 to 32, contains two words with the Greek letter "phi." The applicant is asked for a clarification within the framework of the original disclosure.
3. The present claim 2 claims a polymer composition comprising (A) polyamide, (B) syndiotactic monovinyl aromatic homo-polymer or copolymer, (C) polystyrene copolymer or polystyrene graft copolymer and (D) impact strength modifier. Compositions of this type are described so as to damage novelty in the priority documents (1) to (5); see ((1):claim 1 in connection with paragraph 3 on page 7 to

paragraph 1 on page 8 of the specification and paragraph 3 on pages 13 to 15; (2): claim 1 in connection with lines 22 to 26 on page 4 and lines 12 to 22 on page 5 of the specification; (3): claim 1 in connection with line 25 on page 4 to line 16 on page 7; (4): claim 1 in connection with paragraphs [0039], [0041], and [0044]; (5): claim 1 in connection with lines 7 to 29) in column 6. Claim 2 is therefore not allowable.

4. Claims 3 to 15, which refer back, are not based on any inventive ideas as compared to the references (1) to (2) and (4) to (5) since the selection of the homopolymers or the copolymers (claims 3 to 10) as well as the admixture of filler materials (claims 11 to 14) are known to and within the range of ability of one skilled in the art of polymer compounds. The use of such compounds is furthermore known in motor-vehicle technology ((1), para. 2 on page 1; (2), para. 1) on page 2, so that the present claim 16 shares the destiny of the main claim.

5. The prospect of a patent granting cannot be held out for the aforementioned reasons. A rejection of the application must therefore be expected.

Examination Office for Class C08L

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AND TRADEMARK OFFICE]

Enclosures: Copies of references (1) to (5)

P2410